

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS,
AND LAND SURVEYORS, ARCHITECTS SECTION

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JAY R. CAROW, ARCHITECT,	:	92 ARC 001
RESPONDENT.	:	

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Jay R. Carow
C/O Carow - Architects - Planners
114 West Illinois Street
Chicago, IL 60610

Wisconsin Examining Board of Architects, Professional Engineers,
Designers and Land Surveyors
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jay R. Carow (D.O.B. December 7, 1937) is duly licensed in the state of Wisconsin as a architect (license #6369). This license was first granted on June 30, 1988.

2. Jay R. Carow's latest address on file with the Department of Regulation and Licensing is 114 West Illinois Street, Chicago, Illinois.

3. The Department of Regulation and Licensing has received notice of misrepresentation of licensure by the Respondent.

4. Jay R. Carow admits that he had allowed his certificate of registration to lapse and that from January 1, 1991 through April 28, 1992, he practiced architecture in the State of Wisconsin thus engaging in misrepresentation to the public that he was licensed to practice architecture.

CONCLUSIONS OF LAW

1. The Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, Architects Section has jurisdiction in this matter pursuant to Wis. Stats., sec. 443.11.

2. The conduct described above in paragraph 4 of the Findings of Fact, constitutes violations of the Wisconsin Statutes, sec. 443.02(1) through (3), and Wis. Adm. Code, sec. A-E 8.03(3)(a) and (c), and is therefore unprofessional conduct subject to disciplinary action by the Architects Section, pursuant to sec. 443.11, Wis. Stats.

NOW, THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation of the parties is accepted.

IT IS FURTHER ORDERED, that Jay R. Carow, license #6369, is hereby reprimanded.

IT IS FURTHER ORDERED that the Respondent is assessed the costs of this proceeding in the amount of \$100.00 pursuant to sec. 440.22, Wis. Stats.

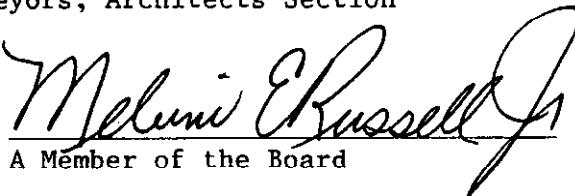
IT IS FURTHER ORDERED that the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, Architects Section, shall close investigative file number 92 ARC 001.

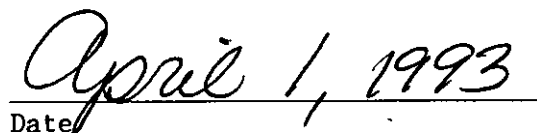
The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

This Order shall become effective ten (10) days following the date of its signing.

Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, Architects Section

By:


A Member of the Board


Date

RRH:pw
ATTY-2373

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS,
AND LAND SURVEYORS, ARCHITECTS SECTION

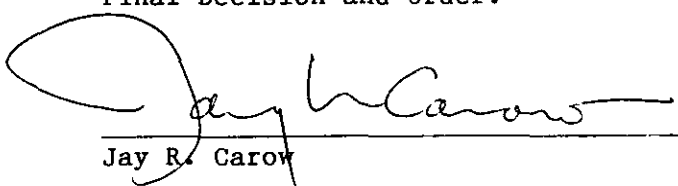
IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
JAY R. CAROW, ARCHITECT,	:	92 ARC 001
RESPONDENT	:	

It is hereby stipulated between Jay R. Carow, personally on his own behalf and Roger R. Hall, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:


1. This Stipulation is entered into as a result of a pending investigation of Jay R. Carow's licensure by the Division of Enforcement. Jay R. Carow consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Jay R. Carow understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by clear, satisfactory and convincing evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Jay R. Carow is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.
4. Jay R. Carow agrees to the adoption of the attached Final Decision and Order by the Architects Section. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Architects, Professional Engineers, Designers and Land Surveyors, Architects Section for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Jay R. Carow in recommending the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, Architects Section adopt this Stipulation and issue the attached Final Decision and Order.


Jay R. Carow

2-17-93
Date


Roger R. Hall, Attorney
Division of Enforcement

2/23/93
Date

RRH:pw
ATTY-2374

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, Architects Section.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, Architects Section.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, Architects Section.

The date of mailing of this decision is April 5, 1993.